

59-C-9.23. Intent of the Rural Density Transfer zone.

The intent of this zone is to promote agriculture as the primary land use in sections of the County designated for agricultural preservation in the General Plan, the Functional Master Plan for Preservation of Agriculture and Rural Open Space, and other master plans. This is to be accomplished by providing large areas of generally contiguous properties suitable for agricultural and related uses and permitting the transfer of development rights from properties in this zone to properties in designated receiving areas.

Agriculture is the preferred use in the Rural Density Transfer zone. All agricultural operations are permitted at any time, including the operation of farm machinery. No agricultural use can be subject to restriction on the grounds that it interferes with other uses permitted in the zone, but uses that are not exclusively agricultural in nature are subject to the regulations in Division 59-C-9 and in Division 59-G-2, “Special Exceptions—Standards and Requirements.”

The intent of the child lot option in the Rural Density Transfer zone is to facilitate the continuation of the family farming unit or to otherwise meet the purposes of the RDT zone.

Sec. 59-C-9.3. Land uses.

No use is allowed except as indicated in the following table:

— **Permitted uses.** Uses designated by the letter “P” are permitted on any lot in the zones indicated, subject to all applicable regulations.

— **Special exception uses.** Uses designated by the letters “SE” may be authorized as special exceptions under [Article 59-G](#).

	Rural	RC	LDRC	RDT	RS	RNC	RNC/ TDR
(a) Agricultural:							
Agricultural processing, primary						P	P
Equestrian facility. ⁴¹	P/SE	P/SE	P/SE	P/SE	P/SE	P ⁴⁹ / SE ²	P ⁴⁹ / SE ²
Farm. ¹	P	P	P	P	P	P	P
Fish hatchery.	P	P	P	P	P		
Other agricultural use.	P	P	P	P	P	P	P
(b) Agricultural-Industrial:							

Abattoir.	SE	SE ²	SE ²	SE			
Agricultural processing. ³⁶	SE	SE ²	SE ²	SE	SE		
Construction Debris Reclamation Facility.					P		
Contractors storage yard ²⁸ (existing)					P		
Grain elevator. ³⁶	SE	SE ²	SE ²	SE	SE		
Manufacture of light sheet metal products. ²⁸ (existing)					P		
Manufacture of mulch and composting.	SE	SE ²	SE ²	SE	SE		
Milk plant. ³⁷	SE	SE ²	SE ²	SE			
Sawmill.	SE	SE ²	SE ²	SE			
Storage, outdoor		SE					
Storage for recycling of building or construction materials. ²⁸ (existing)					P		
Winery. ³⁸	SE/P	SE/P	SE/P	SE/P	SE/P	SE ²	SE ²
Wood product and furniture manufacturing. ²⁸ (existing)					P		
(c) Agricultural-Commercial:							
Blacksmith. ⁴	SE	SE ²	SE ²	SE	P	P ²	P ²
Christmas tree sales between December 5 and 25.	P	P	P	P	P	P ²	P ²
Country market.	SE	SE	SE	SE	P	SE ²	SE ²
Farm market. ⁵	P	P	P	P	P	P ²	P ²
Landscape contractor. ^{3, 2}	SE	SE	SE	SE	P	SE ²	SE ²
Nursery, horticultural - retail. ^{1,3}	SE	SE	SE	SE	P	SE ²	SE ²
Nursery, horticultural - wholesale. ^{1,3}	SE	SE ²	SE ²	SE	P	SE ²	SE ²
(d) Resource Production and Extraction:²							
Rock or stone quarry, as a temporary use.	SE	SE	SE	SE ⁴⁸			
Sand, gravel or clay pit, or extraction of other natural materials, as a temporary use.	SE	SE	SE	SE ⁴⁸			
(e) Residential:²							
Accessory apartment. ^{6,7}	SE	SE	SE	SE ⁴⁸		SE	SE

Accessory dwelling. ⁷	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Accessory dwelling for agricultural workers. ⁴²				P			
Bed-and-breakfast lodging with one or 2 guest rooms. ³¹	P	P	P	P ⁴⁸	P	P	P
Bed-and-breakfast lodging with 3, 4 or 5 guest rooms. ¹⁸	SE	SE	SE	SE ⁴⁸	P	SE	SE
Dwelling, one-family detached.	P	P	P	P	P	P	P
Dwelling, one-family semidetached. ⁴⁴						P	P
Farm tenant dwelling. ⁸	P	P	P	P		P	P
Farm tenant mobile home, more than one but less than 4. ⁸	SE	SE	SE	SE		SE	SE
Group home, small.	P	P	P	P ⁴⁸	P	P	P
Group home, large. ¹⁵	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Guest house, as accessory use. ⁸	P	P	P	P ⁴⁸	P	P	P
Guest rooms, for not more than 2 roomers in any dwelling unit.	P	P	P	P ⁴⁸	P	P	P
Housing and related facilities for senior adults or persons with disabilities.	SE	SE	SE		SE	SE	SE
Life care facility.	SE	SE	SE			SE	SE
Mobile home, double-wide. ⁹	P	P	P	P ⁴⁸	P	P	P
Registered living unit. ^{6,20}	P	P	P	P ⁴⁸	P	P	P
Townhouse.						P	P
(f) Transportation, Communication and Utilities:							
Airstrip, associated with farming operations.		SE ²	SE	SE			
Amateur radio facility.	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE
Cable communication system. ¹⁰	SE	SE	SE	SE	SE	SE	SE
Electric power transmission and distribution line, overhead, carrying more than 69,000 volts.	SE	SE	SE	SE	SE	SE	SE
Electric power transmission and	P	P	P	P	P	P	P

distribution line, overhead, carrying 69,000 volts or less.							
Electric power transmission and distribution line, underground.	P	P	P	P	P	P	P
Helistop.	SE	SE ^{2,11}	SE ^{2,11}	SE ¹¹			
Parking of motor vehicles, other than heavy commercial vehicles, off-street, in connection with any use permitted. Vehicles and machinery for agricultural use may be parked on any size lot without restrictions. A tow truck is not permitted to park with a vehicle attached on any size lot or parcel.	P ⁵⁰	P ⁵⁰	P ⁵⁰	P ⁵⁰	P	P ⁵⁰	P ⁵⁰
Parking of motor vehicles, off-street, in connection with commercial uses.	P ³⁹			P ³⁹			
Pipeline, aboveground.	SE	SE	SE	SE	SE		
Pipeline, underground.	P	P	P	P	P	P	P
Public utility buildings and structures.	SE	SE	SE	SE	SE	SE ²	SE ²
Radio or television broadcasting stations and towers.	SE	SE ²	SE ²	SE	SE		
Railroad track.	P	P	P	P	P		
Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment room. ²⁷	P	P		P		P	P
Telecommunications facility.	P ³³ / SE	P ³³ / SE	P ³³ / SE	P ³³ / SE	P ³² / SE	SE ²	SE ²
Telephone or telegraph line.	P	P	P	P	P	P	P
(g) Commercial:²							
Antique shop.	SE	SE	SE	SE ⁴⁸	P	SE	SE
Auction facility. ¹²				SE ⁴⁸	P		
Farm machinery: sales, storage, or service.		SE	SE	SE ⁴⁸	P		
Farm supply: sales, storage, or service.		SE	SE	SE ⁴⁸	P		
Transitory use. ²⁶	P/SE	P/SE		P ⁴⁸ /		P/SE	P/SE

				SE ⁴⁸			
(h) Services:²							
Adult foster care home.	P	P	P	P ⁴⁸	P	P	P
Ambulance or rescue squad, publicly supported.	P	P	P	P ⁴⁸	P	P	P
Animal boarding place.	SE	SE	SE	SE	SE	SE	SE
Cemetery.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Charitable or philanthropic institution. ¹⁹	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Child day care facility:							
—Family day care home.	P	P		P	P	P	P
—Group day care home. ³⁴	P	P		P ⁴⁸	P	P	P
—Child day care center.	SE	SE		SE ⁴⁸	P	SE	SE
Church, memorial garden, convent, monastery, and/or other place of worship.	P	P	P	P ⁴⁸	P	P	P
Day care facility for more than 4 senior adults and persons with disabilities.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Day care facility for not more than 4 senior adults and persons with disabilities. ¹⁴	P	P	P	P ⁴⁸	P	P	P
Domiciliary care home for more than 16 residents. ³⁵	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Educational institution, private.	SE	SE	SE	SE ^{13, 48}	SE	SE	SE
Family burial sites.	SE	SE	SE	SE			
Fire station, publicly supported.	P	P	P	P ⁴⁸	P	P	P
Funeral parlor or undertaking establishment				SE ^{40, 48}			
Home health practitioner's office.	P ²² / SE ²¹	P ²² / SE ²¹	P ²² / SE ²¹	P ^{22, 48} / SE ^{21, 48}	P ²² / SE ²¹	P ²² / SE ²¹	P ²² / SE ²¹
Home occupation, major. ²¹	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Home occupation, registered. ²²	P	P	P	P ⁴⁸	P	P	P
Home occupation, no impact. ²³	P	P	P	P	P	P	P
Hospice care facility.	SE	SE	SE	SE ⁴⁸	SE	SE	SE

Hospital, veterinary.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Nursing home. ³⁵	SE	SE			SE	SE	SE
Offices, general. ²⁹					SE		
Publicly owned or publicly operated use.	P	P	P	P	P	P	P
Respite care home.	P	P	P	P ⁴⁸	P	P	P
Sanitarium.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
(i) Cultural, Entertainment and Recreational:							
Boathouse, private.	P	P	P	P ⁴⁸	P		
Camp retreat, non-profit.		P ⁴⁵					
Campground.	SE						
Country club.	SE	SE	SE				
Golf course.	SE	SE	SE	SE ^{25, 48}			
Hunting or fishing cabin, private. ¹⁶	P	P	P	P ⁴⁸			
Kennel, noncommercial.	P	P	P	P	P	P	P
Libraries and museums. ³⁰		P				P ²	P ²
Private club or service organization.	SE	SE	SE	SE ⁴⁸	SE	SE ²	SE ²
Recreational or entertainment establishment, or commercial.	SE				SE		
Riding stable, private. ¹⁷						P	P
Rifle, pistol, or skeet shooting range, outdoor.	SE	SE ²	SE ²	SE ⁴⁸	SE		
Swimming pool, community.	SE	SE	SE			SE ²	SE ²
Swimming pool, private. ¹⁶	P	P	P	P ⁴⁸	P	P	P
Theater, legitimate.	SE				SE		
(j) Miscellaneous:							
Accessory buildings, structures, and uses. ⁴⁷	P	P	P	P	P	P	P
Security pavilion.	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³
Signs, in accordance with the provisions of Article 59-F .	P	P	P	P	P	P	P
Wildlife or game preserve, regulated	P	P	P	P	P		

shooting ground licensed by the Maryland Wildlife Administration, and other conservation areas.							
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- 1 Products of agriculture and agricultural processing may be sold from a farm if the products are produced on site. The sale from a farm of horticultural products grown primarily on site or, if grown off-site, are planted in the ground or in pots or beds for a period of time on not more than 2 acres or 20% of the site, whichever is less, is an accessory use to the farm.
- 2 This use or class of uses is not permitted in the portion of any cluster development regulated by section [59-C-9.52](#) or in any rural open space area regulated by section [59-C-9.57](#).
- 3 The delivery and installation of horticultural products grown on the farm that provides the delivery and installation service is an accessory use to the farm. A landscape contractor or wholesale nursery in operation on October 22, 1985, is a conforming use and is not required to obtain a special exception, unless:
 - (a) The on-site operation is expanded or enlarged;
 - (b) The on-site operation is diversified to include retail facilities or a related use not in operation prior to October 22, 1985; or
 - (c) The operation is discontinued for a period of 6 months or more. A period of seasonal inactivity of up to 4 months does not constitute discontinuance.
- 4 A farrier whose operation is limited to shoeing horses or other equines is not a commercial blacksmith.
- 5 The sale and display area must be located at least 25 feet from the paved edge of the roadway. There must be at least 3 off-street parking spaces. Firewood sold at a farm market must be cut and split on the farm or location where the wood is harvested.
- 6 Not permitted in a mobile home.
- 7 As a special exception regulated by divisions 59-G-1 and 59-G-2, such a dwelling unit is excluded from the density calculations set forth in sections [59-C-9.41](#), title "Density in RDT Zone," and [59-C-9.6](#), title "Transfer of Density-Option in RDT Zone." Once the property is subdivided, such a dwelling would no longer comply with the special exception regulations or with this exclusion. A special exception is not required for a dwelling that was a farm tenant dwelling in existence prior to June 1, 1958, provided, that the dwelling meets all applicable health and safety regulations.
- 8 A farm tenant dwelling, farm tenant mobile home, or guest house, as defined in section [59-A-2.1](#), title "Definitions," is excluded from the density calculations set forth in

sections [59-C-9.41](#), title "Density in RDT Zone," and [59-C-9.6](#), title "Transfer of Density-Optional in RDT Zone," provided that these uses remain accessory to a farm. Once the property is subdivided, such dwellings would no longer comply with these definitions or with this exclusion. A farm tenant dwelling in existence prior to June 1, 1958, may be rented to a non-farm family without obtaining a special exception as an accessory dwelling, provided that the dwelling meets all applicable health and safety regulations.

9 Provided that such a dwelling has minimum dimensions of 24 feet by 40 feet, a gable roof, and is permanently affixed to a foundation supporting the load-bearing framework of the mobile home and a foundation wall enclosing its entire perimeter, in compliance with the provisions of chapter 8 of this Code. Such a mobile home must have its wheels, axles, transportation light and removable towing apparatus removed.

10 Except as provided in sections [59-A-6.9](#) and [59-G-2.10.1](#).

11 Provided it is a private helistop associated with a farm.

12 Merchandise restricted as stated in section [59-G-2.05.1](#).

13 Limited to individual or small class instruction provided within a dwelling or an accessory use, such as a swimming pool, by a resident of the dwelling. However, a private educational institution for persons with disabilities may be established subject to the special exception requirements of section [59-G-2.19](#), and provided (1) the site was previously used to provide educational services to persons with disabilities, (2) no more than 75 students are enrolled at any one time, (3) enrolled students are not boarded, and (4) improvements exist on the property (as of July 21, 2003) to accommodate the school's educational programs. A residence may be provided on site for use by a caretaker. Educational services to persons without disabilities are limited to enrichment activities related to providing educational services to persons with disabilities. A private educational institution lawfully existing prior to January 6, 1981, when the Rural Density Transfer Zone sectional map amendment was enacted is a conforming use, and may be extended, enlarged or modified by special exception subject to the provisions of section [59-G-2.19](#), "Educational Institutions, Private."

14 As defined under "Day Care Facility for Senior Adults and Persons with Disabilities."

15 Subject to the special exception standards for a group home, section [59-G-2.26](#).

16 For use of the property owner and nonpaying guests only.

17 Reserved.

18 Not permitted in an accessory dwelling, farm tenant dwelling or mobile home. The owner must maintain a record of transient visitors and register the lodging with the Department. Minimum lot size for a lodging with more than 3 guest rooms is 2 acres.

19 Provided the special exception is for re-use of an existing building and has a maximum lot size of 2 acres.

20 In accordance with Executive Regulations and subject to the requirements enumerated in section [59-A-6.10](#).

21 In accordance with section [59-G-2.29](#), title "Home Occupation, Major." A professional office for a resident of a dwelling for which a use-and-occupancy permit was issued prior to February 5, 1990, may be continued as a nonconforming use, as provided in division 59-G-4. Alternatively, an existing resident professional may register a home occupation or home health practitioner's office, in accordance with sections [59-A-3.4](#) and [59-A-6.1](#), or apply for a special exception, in accordance with section [59-G-2.29](#).

22 In accordance with sections [59-A-3.4](#) and [59-A-6.1](#).

23 There must be no more than 5 visits per week, no nonresident employees and no discernible adverse impact on the neighborhood.

24 Reserved.

25 If an application was filed with the Board of Appeals prior to June 16, 1992. Any golf course approved by the Board of Appeals is not a non-conforming use and may be modified in accordance with Sec. [59-G-2.241](#).

26 In accordance with Section [59-A-6.13](#).

27 Refer to Sec. [59-A-6.14](#).

28 Valid only for uses existing as of the date of placement in the zone or on a parcel adjoining I-1 zoned property devoted to a similar use at the time of placement in the zone. Expansion on such a parcel adjoining I-1 zoned property shall require that the entire site is covered by site plan review for both properties.

29 For existing residential structures as of the date of placement in the zone and in accordance with the special exception requirements of Section [59-G-2.38.1](#).

30 Whenever main and accessory structures exceed an aggregate floor area of 5,000 square feet, development will be subject to site plan review under Division 59-D-3. All properties designated as resources in the Master Plan for Historic Preservation are excluded from the site plan review requirement.

31 May be permitted in an accessory building designated as historic on the Master Plan for Historic Preservation.

32 A telecommunications facility is a permitted use if the height does not exceed the building height of the zone and the monopole is set back one foot for every foot of height from the property line.

33 A telecommunications facility is a permitted use up to 199 feet in height within an overhead transmission line right-of-way but must not be closer than 300 feet to any residence.

34 Not to be located in a townhouse unit or an attached unit.

35 Subject to the special exception standards for a Nursing Home; and Domiciliary Care Home, section [59-G-2.37](#).

36 Permitted by right as an accessory use to a farm.

37 A milk plant and a milk parlor are permitted by right as an accessory use to a farm.

38 Permitted by right provided no more than two public events are held per year.

39 Parking of motor vehicles is permitted in an historic district in accordance with the provisions of Sec. [59-A-6.22](#).

40 If operated in conjunction with a cemetery established by special exception before (ZTA effective date) [August 20, 2001].

41 Any riding stable, including buildings, show rings, paddocks, activities and events established in an agricultural zone before April 5, 2004 is a conforming use and may be modified, reconstructed, or enlarged in accordance with the standards in effect after April 5, 2004 except that any riding stable existing before April 5, 2004 must be in compliance with the nutrient management, water quality, and soil conservation standards of 59-C-9.31(c) no later than March 2, 2005.

42 Only for workers actively engaged on a full-time or part-time basis in managing or maintaining a lawful agricultural use that is under the control of the owner or operator of property on which the accessory dwelling is located. An accessory dwelling for use by agricultural workers is permitted in addition to a main dwelling.

43 In accordance with Section [59-A-6.17](#)

44 Permitted only as part of a moderately-priced dwelling unit development. The maximum percentage of one-family semi-detached dwelling units in a subdivision is 30%.

45 If established before April 11, 2005.

⁴⁶ Must not exceed 65 feet in height; however, a special exception for additional height may be granted, by the Board of Appeals if it can be demonstrated that the additional height is the minimum needed to engage in amateur radio communications under a license issued by the Federal Communications Commission. Any amateur facility existing before December 26, 2005 that exceeds 65 feet in height is a conforming structure.

⁴⁷ Except for a building accessory to an agricultural use, the footprint of an accessory building on a lot where the main building is a one-family detached residential dwelling must not exceed 50 percent of the footprint of the main building. Any accessory building for which a building permit was issued before July 11, 2006 may continue as a conforming building under the standards in effect at the time the building permit was issued; however, in the event a building permit that was issued before July 11, 2006 is revoked, but subsequently approved, the accessory building must be in compliance with the standards in effect at the time of the subsequent approval. Any replacement or reconstruction of an accessory building constructed under a building permit issued before July 11, 2006 must comply with the standards in effect at the time the building is replaced or reconstructed.

⁴⁸ **If property is encumbered by a recorded transfer of developments rights easement, this use is prohibited. However, any building existing on October 2, 2007 may be repaired or reconstructed if the floor area of the building is not increased and the use is not changed.**

⁴⁹ A resident of a lot or parcel at least 2 acres in size may raise, ride, and board horses for personal use. One horse is permitted for every 1 gross acre of the lot or parcel, up to a maximum of 5 horses. Any building or manure storage area must be located at least 100 feet from any existing dwelling on an adjacent tract of land.

⁵⁰ On any lot or parcel smaller than 2 acres in size but larger than .5 acres, not more than 3 light commercial vehicles and not more than one unoccupied recreational vehicle may be parked at any time. One additional recreational vehicle may be used on a lot or a parcel for dwelling purposes for not more than 3 days in any month. On any lot or parcel equal to or smaller than .5 acres in size, not more than one light commercial vehicle and not more than one unoccupied recreational vehicle may be parked at any time.